

## **REMARKS/ARGUMENTS**

### **A. In the Claims**

#### *I. Claim Rejected Under 35 U.S.C. § 112, second paragraph:*

The Application has 35 pending claims. Claims 1, 12, 21, 31, 32, 33, 34 and 35 are independent claims. The Office Action rejects all the claims of the Application under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action further provides:

**The use of the language “facilitating” in each of the steps of the independent claims (and some of the dependent claims) renders these claims indefinite. As defined in the specification, “if something is ‘facilitated,’ it is made possible.” By merely allowing something to be possible does not constitute performing any function whatsoever. If this facilitating language were removed from the claims, this rejection could be overcome.**

Applicant respectfully submits that claims 1, 4, 12, 21, 31 and 32 have been amended to remove the “facilitating” language in accordance with the Examiner’s instructions and thus are in a form for allowance. Applicant hereby cancels claims 33, 34, and 35, without prejudice.

#### *II. Claims Rejected Under 35 U.S.C. § 102(e), and 35 U.S.C. § 103(a):*

Claims 1-3, 5, 8, 10, 11 and 33-35 are rejected under 35 USC 102(e) as being anticipated by Wood (U.S. Patent 6,609,198). Claims 4 and 7 are rejected under 35 USC 103(a) as being obvious over Wood in view of Zimmerman (Zimmerman et al., “Building an Internet with windows NT 4,” Chapter 2, 8/1996, pertinent chapters 2 (pp. 1-17) and 10 (pp. 1-10)). Claims 5 and 6 are rejected under 35 USC 103(a) as being unpatentable over Wood in view of "UPS OnLine Tracking" (cited in prior Office Action in this same case). Claims 12-14, 17, 19 and 20 are rejected under 35 USC 103(a) as being obvious over Wood in view of Murphy (U.S. Patent 6,226,744). Claims 14 and 15 are rejected under 35 USC 103(a) as being obvious over Wood in view of Murphy, further in view of UPS OnLine Tracking. Claim 16 is rejected under 35 USC 103(a) as being obvious over Wood in view of Murphy, further in view of Zimmerman.

The Examiner has indicated that Claims 9 and 18 contain patentable subject matter is rewritten in independent form to include all the limitations of their base claims and any intervening claims. Claim 9 depends from independent claim 1 and claim 18 depends from independent claim 12. Applicants herein have amended claim 1 to include the limitation of claim 9, and have canceled Claim 9, without prejudice. Applicants therefore respectfully submit that pending amended claims 1-8, and 10-11 now overcome their 35 U.S.C. § 102 and 35 U.S.C. § 103 rejections and are in a form for allowance in accordance with the Examiner's instructions.

Applicants have herein amended claim 12 by incorporating the limitation of dependent claim 18 into independent claim 12 and have canceled claim 18, without prejudice. Applicants therefore respectfully submit that pending amended claims 12-17 and 19-20 now overcome their rejections based on 35 USC 103(a), as described above, and are now in a form for allowance in accordance with the Examiner's instructions. Claims 21-32 have been amended to overcome the 35 U.S.C. § 112, second paragraph rejection of these claims and claims 33-35 have been canceled. Applicants therefore respectfully submit that remaining claims 1-8, 10-17, and 19-32, as amended, are in a form for allowance.

## **B. Conclusion**

The Application has remaining 30 pending claims. Claims 1, 12, 21, 31, and 32 are independent claims. Applicant respectfully submits that all claims are in a form for allowance, Applicant therefore requests examination and allowance of all the pending claims of the Application. If the Examiner wishes to discuss the application or the comments herein, the Examiner is urged to contact the undersigned by telephone at (404) 881-7846.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

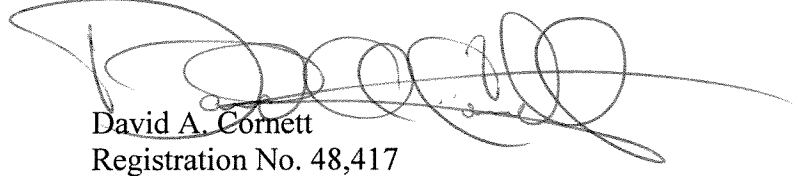
Appl. No.: 09/858,328

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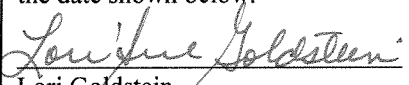
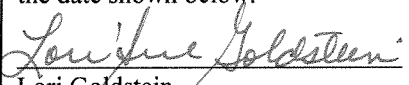
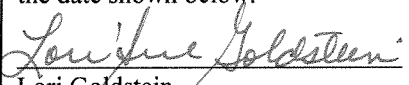
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therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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